

Report title	Review of the Licence Conditions for Oxley Court mobile home caravan site.	
Wards affected	Oxley	
Accountable director	Ross Cook, Service Director - City Environment, Place	
Originating service	Business Services	
Accountable employee	Phillip Richards	District Officer – Public Protection
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Recommendation(s) for decision:

The Licensing Sub-Committee is recommended to:

1. Approve the applying of Model Standards 2008 for Caravan Sites in England, Licence conditions to Oxley Court, Oxley, Wolverhampton.

1.0 Purpose

- 1.1 To update committee of a consultation exercise undertaken to review the current model Licence conditions applicable to Oxley court mobile home sites and obtain approval to apply the Model Standards 2008 conditions to the existing Licence.

2.0 Background

- 2.1 The Oxley Court caravan site was licensed under Caravan Sites and Control of Development Act 1960 legislation in Wolverhampton. The Licence conditions were based on the Model Standards 1989: Permanent Residential Mobile Homes Sites.
- 2.2 It is proposed to bring those conditions up to date, implementing the Model Standards 2008 for Caravan Sites in England, which are the current 'standard'. The model standards represent those standards normally to be expected as a matter of good practice on caravan sites.
- 2.3 A certificate of lawfulness was granted by planning on 10 May 2017 for the site to be used as a caravan park. Appendix 1. The certificate contained a site plan, which is not attached to the current Licence and conditions and will be attached to the new Licence. Appendix 2
- 2.4 The local authority was requested by a Resident's Association to consider applying the conditions laid out in the 2008 model standards, Appendix 3.
- 2.5 There has been complaints from residents over the years concerning the running of the site, changes being made ad-hoc to the site, including additional units.
- 2.6 Due to the circumstances above, the local authority, determined it appropriate to apply the new standards on the site for there to be a firm basis of Licence conditions going forward.

3.0 Consultation

- 3.1 A review was undertaken, Appendix 4 shows the previous conditions and lays out the proposed conditions.
- 3.2 The review was sent out for consultation with the present licence holders and the Resident's Association. A period of 28 days was given for representations to be received.
- 3.3 Summaries of the response received were given consideration and are shown together with the Councils response in the table below.

Residents Representations	Local Authority Response
<p><u>Boundaries</u></p> <p>There should be a minimum height for the site boundaries, due to the fact that one runs along a canal. (This was incorporated in the previous licence at 2 meters)</p>	<p><u>Boundaries</u></p> <p>As you stated the 2 metre minimum height for boundaries was included within the previous license we concede this and will include the condition in the new license.</p>
<p>To Read – no “newly sited” sited caravans or combustable features shall be positioned within 3 meters of the boundary of the site.</p> <p>We are objecting to –“provided that on receipt of a written request from the licence holder, the Director at their discretion grant exemption from or vary this condition as seen fit”.</p> <p>We would like is this removed due to it being an implication that one new pad, could be used in this instance on an exemption grant.</p> <p>We do not feel that applying this new variation of the condition is justified with regard to this site.</p>	<p>We have considered your request to delete the ability for the Director to apply variations to this condition after receiving a written request from the license holder. We believe this should be included in the conditions, as other variations have been allowed in the past, and the Director should still have this option available to him/her.</p>
<p><u>Communal Recreational Space</u></p> <p>There should be adequate recreational space provide for the residents of the caravan park.</p>	<p><u>Communal Recreational Space</u></p> <p>“On sites where it is practical to do so, suitable space equivalent to about one tenth of the total area of the site shall be allocated for recreational purposes, unless in the local authority’s opinion there are adequate recreational facilities within a close proximity to the site.”</p> <p>It is the opinion of the Local Authority that there is sufficient and suitable space available off site within close (walking) distance of the caravan park. The space is freely accessible by the public, it includes green open spaces and parts of the countryside to which the public have a right to walk.</p> <p>Appendix 3 show the green open spaces to the north of the park and the canal (which has ramped access for disabled persons) to the east of the park</p>

3.4 A further 14 days was given for comment on the local authority's response to the resident's representations. No further comments were received during this 14-day period.

4.0 Financial implications

4.1 There are no direct financial implications associated with the recommendations in this report. [SR/10072018/W]

5.0 Legal implications

5.1 Section 3 of the Caravan Sites and Development Act 1960 provides that a local authority may issue a site licence if an applicant is entitled to the benefit of a permission for the use of the land as a caravan site granted under the 1947 planning legislation.

Section 8 of the 1960 Act provides that conditions attached to a site licence may be altered at any time, whether by variation or cancellation of existing conditions, by the addition of new conditions or by a combination of both. However, before exercising these powers the local authority shall afford the holder of the licence an opportunity to make representations.

Section 8 further provides that where the holder of a site licence is aggrieved by the alteration of conditions (which should be necessary and desirable in the interests of other persons) he may within 28 days appeal to the Magistrates Court.

The power to issue licences authorising the use of land as a caravan site under the 1960 Act is delegated to Licensing Committee within the Wolverhampton City Council Constitution. Caravan Sites Alteration of Conditions is further delegated to a Licensing Officer where there are no representations and delegated to the Licensing Sub-Committee where there are representations. [SH/05072018/Q]

6.0 Equalities implications

6.1 Initial equality analysis has been carried out and determined that a full equality analysis is not required.

7.0 Environmental implications

7.1 There are no Environmental implications associated with this report.

8.0 Human resources implications

8.1 There are no Human resources implications associated with this report.

9.0 Corporate landlord implications

9.1 There are no Corporate landlord implications associated with this report.

10.0 Schedule of background papers

10.1 None

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